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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,751	04/21/2004	Chuck Price	P00924-US-01 (06579.9374)

CONFIRMATION NO. 5494

## FORMALITIES LETTER



\*OC000000013099026\*

Alexander D. Forman  
 ICE MILLER  
 One American Square  
 Box 82001  
 Indianapolis, IN 46282-0002

Date Mailed: 06/29/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 12,15.
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 18A.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

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130.00 OP

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



August 27, 2004

**ICEMILLER**  
LEGAL & BUSINESS ADVISORS

WRITER'S DIRECT NUMBER: (317) 236-5826  
Internet: Alexander.Forman@icemiller.com

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

MAIL STOP: MISSING PARTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP: MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

August 27, 2004

Date of Deposit

Patti D. Ratcliff

Typed or Printed Name of Person Signing this Certificate

Patti D. Ratcliff

Signature

August 27, 2004

Date of Signature

Re: Response to Notice to File Missing Parts of Nonprovisional Application  
Invention: SYSTEM AND METHOD FOR PLANT MANAGEMENT  
Inventors: PRICE, Chuck; SANTORE, Gary and PHAN, Thé  
Serial No.: 10/828,751  
Filed: April 21, 2004  
Our Docket: P00924-US-01 (06579.9374)

**RESPONSE TO NOTICE OF MISSING PARTS**

**I. Declaration.**

In response to the enclosed Notice of Missing Parts dated June 29, 2004 ("Notice"), Applicants enclose the executed declaration to complete the filing of the above-referenced patent application. Applicants also submit a check in the amount of \$130.00 for payment of the surcharge under 37 C.F.R. §1.16(e) for late filing of the declaration.

**II. Figures.**

Also in response to the Notice, Applicants submit replacement sheets for Figures 1-25. As requested by the Notice, Figures 12 and 15 properly meet the margin requirements of 37 C.F.R. §1.84 and Figure 18A is now reasonably free from alterations, overwriting, interlations, folds, and copy marks. Accordingly, Applicants respectfully request that the replacement sheets be accepted.

**III. Preliminary Amendment and Information Disclosure Statement.**

Applicants also enclose a Preliminary Amendment that amends the specification and claims of the application. As noted in the Preliminary Amendment, the amendments to the specification and claims do not add new matter to the claim. Applicants enclose a check in the amount of \$240.00 to pay for the claims that exceed the three independent and twenty total claims covered by the original application. Accordingly, Applicants respectfully request that the Preliminary Amendment be accepted.

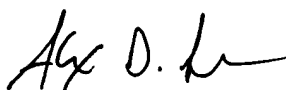
Applicants also submit an Information Disclosure Statement with this Response. Applicants respectfully submit that the submission is in compliance with 37 C.F.R. §1.97(3) because the Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.

**CONCLUSION**

Applicants respectfully submit that it has properly responded to the Notice and request that the objections be withdrawn. If there are any questions regarding this Response or the enclosed documents, then it is requested that the examiner contact the undersigned.

Respectfully submitted,

ICE MILLER



Alexander D. Forman, 51,691  
ICE MILLER  
One American Square, Box 82001  
Indianapolis, IN 46282-0002  
Telephone: (317) 236-5826  
Facsimile: (317) 592-5433

Date: 8/27/04

ADF/pdr

Enclosures: Executed Declaration  
Check in the amount of \$130.00  
Replacement Sheets for Figures 1-25  
Copy of Notice to File Missing Parts of Nonprovisional Application  
Preliminary Amendment  
Check in the amount of \$230.00  
Information Disclosure Statement  
Return Postcard

cc: Mr. Robert J. Menchetti (w/enclosures)  
Anthony Nimmo, Esq. (w/out enclosures).

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